

## HOUSE BILL NO. 86

INTRODUCED BY T. SCHMIDT

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN AIRCRAFT OWNED BY A LIMITED LIABILITY COMPANY TO BE PERMANENTLY GARAGED IN MONTANA IN ORDER TO BE REGISTERED IN MONTANA; AND AMENDING SECTION 67-3-201, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 67-3-201, MCA, is amended to read:

**"67-3-201. Aircraft registration and licensing required.** (1) Except as provided in 67-3-102 and in subsection (6) of this section, a person may not operate or ~~cause or authorize to be operated~~ authorize the operation of a civil aircraft within this state unless the aircraft has an appropriate effective registration, license, certificate, or permit issued or approved by the United States government ~~which~~ that has been registered with the department and the registration with the department is in force.

(2) Aircraft customarily kept in this state must be registered on or before March 1 of each year with the department, which ~~must~~ shall charge a fee ~~therefor~~ according to the fee schedule in 67-3-206. The registration must be renewed annually on or before March 1 each year.

(3) Section 67-3-202 and subsections (2) and (4) through (6) of this section do not apply to:

(a) aircraft owned and operated by the federal government, the state, or any political subdivision ~~thereof~~ of the federal government or the state;

(b) aircraft owned and held by an aircraft dealer solely for the purpose of resale;

(c) aircraft operated by an airline company and regularly scheduled for the primary purpose of carrying persons or property for hire in interstate or international transportation; or

(d) dismantled or otherwise nonflyable aircraft.

(4) An aircraft must be registered in a particular county of the state. This county must be the county of the owner's principal residence, if the owner is a natural person, or the owner's principal place of doing business in the state, if the owner is not a natural person. However, if the owner declares by affidavit that the aircraft is customarily kept at a landing facility in another county within the state, ~~he~~ the owner may register the aircraft as property within ~~such~~ the other county.

1           (5) Aircraft not registered in the state but entering the state to engage in commercial operations  
2 ~~shall~~ must be registered prior to commencing operation.

(6) Owners of ultralight aircraft for which ~~no~~ an appropriate effective license, certificate, or permit is not issued by the United States government shall pay the fee required in 67-3-206 and file with the department an appropriate registration recognized and approved by the United States government.

6           (7) An aircraft owned by a limited liability company organized under Title 35, chapter 8, may not  
7 be registered in this state unless the aircraft is principally garaged or parked at a landing facility within the  
8 state."

9 - END -